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SUBJECT: PART III OF III: Seventh Annual Anti-Trafficking Report -
Czech Republic

Ref: 06 STATE 202745

1. (U) Sensitive But Unclassified entire text; not for internet
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PROTECTION AND ASSISTANCE OF VICTIMS (ref Para 30 SECSTATE 202745)

A) The primary vehicle through which the government assists trafficking victims is its Program of Support and Protection of Victims of Trafficking in Persons (referred to as the "Program of Support" throughout the remainder of this document). The Program of Support was established in 2004 as a pilot program, but has since become a permanent government-funded program. The Program of Support seeks to both assist victims and encourage them to aid in the prosecution of their traffickers. Reflecting the 2004 changes to the Czech criminal code, the Program of Support is open to both foreign and Czech victims of cross-border or internal trafficking, and involves close cooperation between the government, NGOs, and police. The Program of Support was originally only designed for sex trafficking victims, but it has since been expanded to include victims of labor trafficking. In practice, the overwhelming majority of applicants entering the Program of Support have been female sex trafficking victims, although one labor trafficking victim entered the Program of Support in 2004, three in 2005 and four in 2006.

The Program of Support is designed in three stages. In the first stage, the victim is identified (by police, NGO, or other) and is given 30 days as a reflection period, during which time she can decide whether or not she would like to enroll in the Program of Support and cooperate with law enforcement. The victim is given basic crisis intervention, psychological assistance, and is accommodated in an NGO shelter. Under law, the victim cannot be deported during this stage. In the second stage, if the victim cooperates and is accepted into the Program of Support, the victim applies for a visa for temporary tolerance of stay. She will have legal status in the Czech Republic for the time she is cooperating with authorities regarding her case. Victims in the Program of Support are housed in shelter housing and given financial support, counseling by social workers, psychological counseling, legal counseling, employment support, and health care. The third stage starts upon completion of criminal proceedings, and the victim is offered either assisted voluntary return to her country of origin or the opportunity to apply for permanent residence in the Czech Republic for humanitarian reasons.

From January through December 2006, 14 new victims enrolled in the Program of Support; 47 have been enrolled in since the program started in 2004. The overwhelming majority of the victims were sex trafficking victims and many of them were identified by police officers and subsequently transferred to the care of NGOs. Of the 14 victims that entered the Program during 2006, ten were women and four were men. The four males, three Romanians and one Vietnamese, were victims of labor trafficking. Among sex trafficking victims five were Czechs, 3 Ukrainians and 2 Vietnamese. One third of the victims were younger than 25. The Czech Government has implemented several measures that make the model significantly more attractive to victims. An important change implemented in 2005 was the decision to permit victims in the Czech Republic to obtain visas for Temporary Tolerance of Stay and to receive work permits for the duration of their visa. NGOs had previously noted that victims would often use the lengthy asylum process to prolong their stay, while avoiding enrollment in the model. Czech asylum laws have tightened considerably since 2004, significantly reducing that practice. Although even in previous years asylum was rarely granted, the asylum application process did allow a prolonged stay and obviated the need for police cooperation.

Victims can be removed from the Program of Support if they refuse to continue to cooperate with law enforcement, relapse into prostitution, commit crimes, breach shelter housing rules, or contact persons from their former trafficked environment. Victims may also choose to voluntarily withdraw from the Program of Support at any time, and are automatically removed when the case against their traffickers is completed. Then they can use regular services offered by the NGOs. Victims may also apply for asylum under the normal Czech asylum process. For victims who choose not to participate in the Program of Support, NGOs like La Strada and Caritas operate victim shelter and care facilities and ensure victims receive proper medical attention, including optional

PRAGUE 00000203 002 OF 006

screening for HIV/AIDS and other sexually transmitted diseases. All of the major NGOs dealing in trafficking receive government funding. In 2006, La Strada provided comprehensive services, including shelter and care, to 44 victims - 7 of whom were in the government support program. They had direct contact through their hotline and in visits to sex clubs and at risk areas with several hundred other victims. Caritas provided comprehensive services, including shelter and counseling, to a total of 25 victims - 12 of whom were enrolled in the Program of Support in 2006. They assisted an additional 300 hundred victims through meetings in sex clubs and on the streets. In 2004, Rozkos bez Rizika (Pleasure Without Risk) was added as an NGO participant to the Program of Support.

B) The Interior Ministry provides funding to La Strada, an NGO that offers trafficking victims shelter, food, clothing, medical treatment, legal and psychological counseling, and assistance in returning to their home country (for non-Czechs) or reintegrating into Czech society (for Czechs trafficked abroad), and Caritas, which provides both immediate and long-term support for trafficking victims. The government also funds the activities of the Czech branch of IOM. IOM participates in public awareness campaigns as well as assisting victims to return to their countries of origin, sponsors critical research programs used in the implementation of future policy, and repatriation for trafficking victims to return to their country of origin. Rozkos Bez Rizika (Pleasure Without Risk) also receives government funding, both in general and within the context of Program of Support.

In an effort to stem labor trafficking at its source, the Ministry of Labor and Social Affairs in cooperation with the Ministry of Interior introduced a pilot project that provides government-funding to two NGOs (Caritas and IOM) in Ukraine (the source country of a majority of legal and illegal workers as well as trafficking victims). These NGOs assist in providing information to Ukrainian citizens on work opportunities in the Czech Republic and serve as de facto labor brokers free of charge in 10 of the largest cities located throughout the Ukraine that are known as principle source locations for trafficking victims. The goal of the project is to eliminate the need for intermediaries and brokers that frequently resort to illegal and extortive practices.

C) A formal screening and referral process has been put in place under the Program of Support. In cooperation with NGOs, the government created eight questions for police to ask victims to determine if they are potential victims of trafficking. Police units receive training from NGOs in identifying victims of trafficking, and are instructed to refer victims to organizations such as La Strada or Caritas. The individual responsibilities of police, NGOs, and the government are set out in formal contracts under the Program of Support.

The Ministry of Health produced a 90-page book for health care practitioners on trafficking in persons. The book defines trafficking, its causes and forms. It also informs health care practitioners on methods of determining whether patients are victims of trafficking as well as outlines specific ways trafficking can damage a victim's physical and psychological health. The book also explains the Czech trafficking statute and outlines steps to take when approaching victims. This book has been widely praised by doctors and NGOs for its ability to raise awareness among the medical community on how to approach and care for trafficking victims.

Some victims still attempt to use the asylum process to continue their residence in the country. EU accession has, however, entailed changes to asylum laws which require potential applicants to apply for asylum in the first EU country they enter. Since the Czech Republic is completely surrounded by fellow EU member states, this creates a less conducive application process for those who enter the country by land. The Ministry of Interior's Refugee Facility Administration has implemented a system by which victims and potential victims of trafficking, as well as other at-risk groups, are housed in guarded facilities to prevent unwanted contact with traffickers and provided with counseling and psychological assistance. If a potential victim is in immediate danger, the facility will refer the victim, in cooperation with the U00Z, to a shelter or safehouse operated by La Strada or Caritas.

D) The Czech Republic protects and respects the rights of victims under the Program of Support and Protection of Victims of Trafficking in Persons. Victims are given 30 days in which to decide

PRAGUE 00000203 003 OF 006

if they would like to participate in the Program of Support and cooperate with law enforcement, during which time they are given care by an NGO. IOM continues to assist with repatriation and in some cases, reintegration (depending on the country) for victims who choose voluntary repatriation.

In an important program that marked the Czech Republic's transition from an aid recipient to a donor country, the government funds an IOM repatriation program for persons from Georgia, Moldova and Armenia as well as its program to stop labor trafficking at its source in Ukraine.

E) Under the Program of Support, victims are given Tolerance of Stay visas to remain in the Czech Republic in exchange for their cooperation with police in testifying against their traffickers. At the completion of their cooperation with law enforcement, victims can ultimately qualify for permanent residency; 1 such victim was awarded permanent residency in 2006. A large majority of victims prefer to return home as soon as possible.

Victims who are granted temporary residence are automatically also given permission to work legally in the country. Victims are eligible to seek compensation from their traffickers either as a part of the criminal sentence or through recourse to civil suits. In order to seek civil damages, however, Czech law requires a finding of criminal conduct on the part of the defendant. In practice, claims for criminal or civil damages against the traffickers are rare although they have been granted in the past. Even though in some extraordinary cases there has been discussion of direct government compensation, there is no Czech equivalent to the Victim-Witness Assistance Program found in some US jurisdictions.

F) A witness protection law that took effect on July 1, 2002 allows

the government to conceal the identity of a witness, provide a new identity and/or residence, assist the witness in finding employment, and assign bodyguards if necessary to a witness whose safety is endangered by their testimony. To date, though, these provisions have been used only rarely and they have not been used at all in connection with a trafficking case.

Police frequently use their mandate to provide short-term protection to potential witnesses, however. The protection may include physical protection, use of safehouses, and/or security monitoring. This protection may be provided for up to sixty days, and may be extended repeatedly with approval of the regional police director.

G) The Czech government has a serious and sustained effort to educate its police and other officials on trafficking in persons.

Police training has been extensively revised to include trafficking education at all levels of the force. Both the Police Secondary Schools and the Police Academy have revised their curricula to include trafficking investigation and the identification of potential victims.

Teachers at Police Secondary Schools are also provided regular specialized training on how to investigate perpetrators of sexual exploitation of children. Several multimedia educational programs, including manuals, for teachers were created (e.g on rape and sexual assault, domestic violence, sexual exploitation of children, police work in cooperation with public and dealing with victims).

In 2005, the Interior Ministry also produced a Manual for Police Enforcement in the Field of Trafficking in Persons. The manual is designed for non-specialized patrol officers (non-U00Z) to improve the investigation of trafficking cases and aid in the identification of victims. Regular round table workshops, seminars, and training programs continued with mid and upper echelon regional police officials, NGOs, and other state and municipal officials. Police have child psychologists who assist in cases involving children.

NGOs are uniformly in agreement that Czech police, while not perfect, have greatly enhanced their ability to identify victims of trafficking due to diligence of higher-up authorities and the Ministry of Interior in reinforcing the importance of combating trafficking into the basic police curriculum. Most victims are currently identified by the police and NGOs agree that the police effectiveness in dealing with victims when compared to just three years ago is astoundingly good. They especially praised their direct and constant cooperation with the Organized Crime Unit and its two trafficking sections for sexual exploitation and forced labor.

PRAGUE 00000203 004 OF 006

The Ministry of Labor and Social Affairs is working with the Interior Ministry to expand and improve compliance with the labor code and occupational safety inspection regime. The Ministry of Labor, local inspectors as well as representatives of Work Registration Offices received expanded training to assist in cases of Labor Trafficking. The week-long training in October was organized in cooperation with the U.S. Embassy and a labor trafficking specialist from the U.S. Department of Justice.

The Czech Government produced a manual and a separate reference card for physicians to assist health workers in the identification of potential trafficking victims. The materials have been distributed to state health offices across the country. This manual reflects the implementation of EU directives on trafficking, and was the product of extensive research and coordination between NGOs and the Government.

The Ministry of Foreign Affairs produced new leaflets and manual for its Consular Officers in high-risk source and transit countries. The goal is to use the visa process as a tool to combat trafficking in persons. Literature is also provided to foreign embassies in Prague.

In order to assist Czech consular officials in identifying victims of trafficking, the Ministry of Interior has assigned officers with specialized experience to Czech Embassies in six countries of

concern (China, Belarus, Egypt, Mongolia, Ukraine and Vietnam). These six countries were also chosen due to the high number of individuals from them claiming asylum upon arrival in the Czech Republic. Due to the growing number of visa applicants in Ukraine, the Czech government opened a new consulate focused primarily on visa adjudication of Ukrainians.

H) Repatriated Czech victims of trafficking are eligible upon return to the Czech Republic to apply to participate in the Model of Support and Protection for Victims of Trafficking in Persons.

I) The Government's NGO partners remain unchanged from the 2004 Report. These NGOs provide intervention, counseling, and other assistance, both inside and outside the context of the Model. NGOs include:

--La Strada. La Strada is the primary NGO providing services and awareness campaigns for young girls and women who may become, or who have already become, victims of trafficking. Originally established with aid from the Netherlands, La Strada now obtains funding from a variety of sources, including Czech ministries. La Strada is an NGO participant in the Model. La Strada helps returning Czech women obtain new identity documents, find shelter, get legal and psychological counseling, arrange medical treatment, and gives them a limited amount of financial support. Foreign trafficking victims referred to La Strada receive the same services and are put in contact with their local embassies to obtain new passports and other documentation. La Strada also runs a hotline for victims of trafficking and parents in search of their trafficked children, with Russian-speaking volunteers once a week. Over the past year, La Strada has more than doubled its employees and is now also focusing on the forced labor issue. One of La Strada's full-time employees is dedicated to working with local migrant communities that are at high-risk for labor trafficking. The individual visits local work sites and informs laborers of their rights under Czech law.

--Caritas. One of the most important Czech NGOs in the field of health and social care, Caritas has established a coordination center for helping victims of trafficking in persons. Caritas is an NGO participant in the Model. Caritas has a network of anonymous shelters, apartments, and other facilities throughout the country, and also refers victims to other organizations when appropriate. Caritas is the only NGO equipped to assist victims with children. Social workers assist foreign victims in obtaining medical and psychological care, as well as obtaining travel documents and arranging transportation to the victim's home country. Caritas also operates a nationwide helpline for victims of domestic violence and trafficking in persons. In 2004, Caritas also began streetwork with prostitutes and visits to brothels and clubs in South Moravia, along the Austrian border and Northern Bohemia, along the German border.

--International Organization for Migration (IOM). IOM conducts public awareness campaigns focused on trafficking issues and helps women and girls to avoid falling victim to common trafficking schemes. IOM also assists in repatriating victims of trafficking;

PRAGUE 00000203 005 OF 006

particularly those whose asylum claims have been refused. IOM has contributed significant research to the anti-trafficking effort. IOM is a participant in the Program of Support.

--Rozkos bez Rizika (Pleasure Without Risk). RR is a Czech NGO with an emphasis on providing health care to prostitutes. RR participates in the Program of Support and distributes literature, offers health and disease checks (including for STDs and HIV/AIDS), and provides vaccinations. RR has an extensive streetwork network both in Prague and throughout the country. Though primarily a health care organization, RR questions clients to try to identify trafficking victims, and works closely with Caritas and La Strada to refer victims.

--Bily Kruh Bezpeci (White Circle of Safety). BKB, though not a formal participant in the Program of Support, is a Czech NGO that provides crisis support and counseling for victims of abuse, including trafficking victims.

HEROES

Lucie Sladkova, Head of Mission for the International Organization for Migration (IOM) office in the Czech Republic.

Lucie has been on the cutting edge of raising the issue and presenting solutions regarding forced labor and human trafficking in the Czech Republic. Lucie's unique background of having worked for both the Foreigner and Border Police and the Ministry of Interior in senior positions prior to working in the IOM office in Prague has provided her with the know-how on creating programs that focus on the human rights of migrants and refugees. She has been crucial in creating taskforces and interagency dialogues in addressing these issues. Lucie has worked closely with other NGOs in overseeing assistance to victims of trafficking and the Czech government relies greatly on her expertise in addressing these issues. IOM currently oversees government's repatriation program for trafficking victims and Lucie is also currently overseeing programs with the MFA in Moldova, Georgia and Armenia to assist in informing visa applicants of the dangers of human trafficking. In recognition of Lucie's exceptional contributions in defense of human rights, her role in combating trafficking in persons and forced labor in the Czech Republic, and her efforts to assist migrants and victims of trafficking the Embassy in December 2006 awarded Lucie its third annual Alice Garrigue Masaryk Human Rights Award.

BEST PRACTICES

- The Organized Crime Unit's creation of a specialized police investigative unit to deal with labor trafficking. This has allowed the police to focus a large amount of resources and manpower to the investigation of sophisticated criminal networks involved in forced labor. This unit has also strengthened intergovernmental cooperation in the investigation of forced labor through working hand-in-hand with representatives of local Work Offices which are responsible for controls on legal employment and labor inspectors which are responsible for controls of good working conditions.

- Close cooperation between the government, police and NGOs to monitor trends in trafficking and in identifying ways to approach new problems. In addition to high-level Interdisciplinary Committee on Trafficking, the Ministry of Interior's Crime Prevention Department and the Security Policy Department as well as the police's Organized Crime Unit conduct monthly outreach meetings with the NGOs following trafficking in persons closely (La Strada, Caritas, Rozkos bez Rizika and IOM). NGOs, police and government officials credit these monthly outreach meetings with allowing the government, NGOs and police to learn from each others best practices and alter anti-trafficking campaigns to address new problems as they arise.

- Police and Health Practitioner Manuals on trafficking in persons. The "Trafficking in Persons - Manual for Police" was prepared by Ministry of Interior in coordination with NGOs has been credited in increasing the number of victims identified by the police. The manual and subsequent training has also increased overall sensitivities to the needs of trafficking victims among average

PRAGUE 00000203 006 OF 006

street cops. The Ministry of Health produced manual for health care practitioners on trafficking in persons has also provided valuable information to individuals likely to come in first contact with victims. This manual has been widely praised by doctors and NGOs for its ability to raise awareness among the medical community on how to approach and care for trafficking victims.

- Funding of NGO activities in Ukraine to stop labor trafficking at its source. NGOs assist in providing information to Ukrainian citizens on work opportunities in the Czech Republic, assist with visa facilitation and serve as de facto labor brokers free of charge in 10 of the largest cities located throughout Ukraine that are

known as principle source locations for trafficking victims. This project shows that the Czech Government is serious about solving the labor trafficking problem in hopes of eliminating the need for illegal and extortionate intermediaries and brokers.

- Non-renewal of North Korean work permits and visas. The Czech Republic became the first country since the passage of UNSCR 1718 to cancel preexisting work programs for North Koreans within their country. This decision provides cover for EU member states and other countries with North Korean laborers to follow their lead.

14. (U) The embassy point of contact for trafficking issues through July is Christian Marchant, POLEC Section, ph. 420-257-022-313, fax 420-257-532-717, email: MarchantCM@state.gov. FS3: 80 hours; FSN9: 120 hours. Time does not include non-report related TIPS activity throughout the course of the year.